

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SHARON BOBBITT, Individually and on Behalf	)	
of All Others Similarly Situated,	)	
	)	
Plaintiff,	)	CIVIL ACTION
	)	NO. 04-12263-PBS
	)	
v.	)	Judge Saris
	)	
ANDREW J. FILIPOWSKI and	)	
MICHAEL P. CULLINANE,	)	
	)	
Defendants.	)	

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MIKE TURNER, On Behalf of Himself and	)	
All Others Similarly Situated,	)	
	)	
Plaintiff,	)	CIVIL ACTION
	)	NO. 04-12294-NMG
	)	
v.	)	Judge Gorton
	)	
ANDREW J. FILIPOWSKI, MICHAEL P.	)	
CULLINANE, PAUL L. HUMENANSKY,	)	
TOMMY BENNETT, JOHN COOPER,	)	
JAMES E. COWIE, MICHAEL H. FORSTER,	)	
ARTHUR W. HAHN, THOMAS J. MEREDITH,	)	
J. KEVIN NATER and JOHN RAU,	)	
	)	
Defendants.	)	

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**MOTION TO TRANSFER RELATED TURNER CASE  
TO JUDGE SARIS PURSUANT TO LOCAL RULE 40.1**

Defendants Andrew J. Filipowski and Michael P. Cullinane hereby request that the case of Turner v. Filipowski, et al., currently before Judge Nathaniel M. Gorton, be transferred, with Judge Saris' consent, to Judge Patti B. Saris, who is the judge presiding over a related and previously filed case, Bobbitt v. Filipowski, et al. The remaining defendants in the Turner case have, via their counsel, consented to this motion and the requested transfer. Defendants make

several ways for purposes of LR 40.1, in that they (1) involve many of the same parties; (2) involve the same or similar claims or defenses; (3) involve the same transactions and events; and (4) involve substantially the same questions of fact and law.

6. Section (I) of Local Rule 40.1 provides that: "In the interest of justice or to further the efficient performance of the business of the court, a judge may ... transfer the case to another judge, if the other judge consents to the transfer." The transfer of Turner as a case related to Bobbitt would further the interest of justice and the efficient performance of the business of the court, as one court would thereby be the single source of rulings concerning the issues of these two similar and related cases, thus obviating inconsistent rulings and avoiding duplication of effort.

WHEREFORE, for all the foregoing reasons, defendants Andrew J. Filipowski and Michael P. Cullinane, with the consent of the remaining defendants in the Turner case, respectfully request that Turner v. Filipowski, et al., Civil Action No. 04-12294-NMG, be transferred, with Judge Saris' consent, to Judge Saris, who is presiding over a related and previously filed case, Bobbitt v. Filipowski, et al., Civil Action No. 04-12263-PBS.

December 27, 2004

Respectfully submitted,

ANDREW J. FILIPOWSKI and  
MICHAEL P. CULLINANE

By: Counsel for Mr. Filipowski

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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SHARON BOBBITT, Individually and on Behalf of All Others Similarly Situated,	)
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Plaintiff,	)
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	CIVIL ACTION
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v.	)
	)
	Judge Saris
ANDREW J. FILIPOWSKI and MICHAEL P. CULLINANE,	)
	)
	)
Defendants.	)

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MIKE TURNER, On Behalf of Himself and All Others Similarly Situated,	)
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	NO. 04-12294-NMG
v.	)
	)
	Judge Gorton
ANDREW J. FILIPOWSKI, MICHAEL P. CULLINANE, PAUL L. HUMENANSKY, TOMMY BENNETT, JOHN COOPER, JAMES E. COWIE, MICHAEL H. FORSTER, ARTHUR W. HAHN, THOMAS J. MEREDITH, J. KEVIN NATER and JOHN RAU,	)
	)
	)
Defendants.	)

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**SERVICE LIST*****For Plaintiffs:***

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CERTIFICATE OF SERVICE

I, Daniel J. Lyne, hereby certify that I have this 27th day of December, 2004 served a copy of the foregoing Motion To Transfer Related *Turner* Case To Judge Saris Pursuant To Local Rule 40.1, Motion For Admission Of Bruce S. Sperling, Eugene J. Frett And Thomas D. Brooks *Pro Hac Vice* and Motion For Admission Of Bruce S. Sperling, Eugene J. Frett And Thomas D. Brooks *Pro Hac Vice* by serving a copy of same, by first class mail, postage prepaid upon:

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 Eugene J. Frett  
 Thomas D. Brooks  
 Sperling & Slater  
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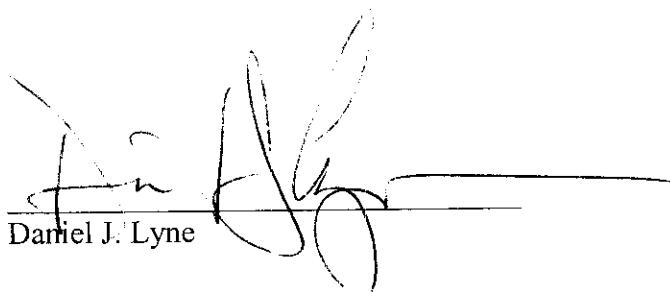
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Daniel J. Lyne

DATED: December 27, 2004

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**RECEIVED**  
 Client's Office  
 U.S. Courthouse  
 Date 11-2-04  
 BY Deputy Clerk

*SCANNED*  
*DATE: 11-2-04*  
*CMG*

*United States District Court*  
 Northern District of Illinois - Eastern Division  
 United States Courthouse  
 219 South Dearborn Street - Room 2010  
 Chicago, Illinois 60604

Michael W. Dobbins,  
 Clerk

October 22, 2004

Office of the Clerk  
 (312) 435-5691

**DOCKETE**

NOV 10 2004

Mr. Tony Anastas, Clerk  
 United States District Court  
 Federal Building  
 155 Main Street / Courthouse Way  
 Springfield, MA 01102 Boston, MA

*MAGISTRATE JUDGE*

**04 CV 12263 PBS**

RE: SHARON BOBBIT, etc., VS. ANDREW J. FILIPOWSKI, et al,  
 USDC, N.D. IL, E. DIV., CASE NO. 03-CV-3599

*Placing*  
*COPY*

Dear Clerk:

Enclosed is the certified record which is being transferred to your Court pursuant to an order entered by the Honorable Samuel Det-Yeghiyan on October 7, 2004,

The filing fee of \$150.00 was paid by the plaintiff and has been reported to Washington as an earning in this office.

Please acknowledge receipt of the record on the enclosed copy of this letter.

Sincerely yours,

Michael W. Dobbins, Clerk

Angela Revis, Deputy Clerk

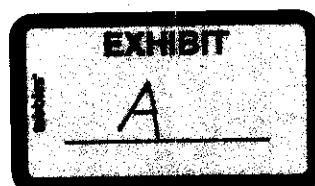
Enclosure

cc: Counsel of record

Now Case No. 04cv12263-PBS

Date: 11/4/04

*FILED*  
*NOV 10 2004*  
*MICHAEL W. DOBBINS*  
*CLERK, U.S. DISTRICT COURT*



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